

NO. PD-0429-16

FILED
COURT OF CRIMINAL APPEALS
11/29/2016
ABEL ACOSTA, CLERK

IN THE COURT OF CRIMINAL APPEALS OF TEXAS

RUSSELL LAMAR ESTES, Appellant, v. STATE OF TEXAS, Appellee

APPELLANT'S MOTION FOR LEAVE TO FILE REPLY BRIEF

TO THE HONORABLE COURT OF CRIMINAL APPEALS OF TEXAS:

1. Appellant, Russell Lamar Estes, requests that this Court permit him to file a brief in reply to the State's Brief on the Merits of Appellant's Petition for Discretionary Review.

2. Appellant needs to file a reply brief to address the arguments made by the State on the strict scrutiny issue (Ground One of Appellant's Petition for Discretionary Review).

3. The State does not oppose this Motion.

WHEREFORE, PREMISES CONSIDERED, Appellant prays that the Court permit the filing of Appellant's Reply Brief pursuant to Tex. R. App. Proc. 70.4.

Respectfully Submitted,

/s/ Adam L. Arrington

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CERTIFICATE OF CONFERENCE

The undersigned certifies that, on November 28, 2016, he conferred with Steven W. Conder, counsel for Appellee, who stated that he does not oppose the relief sought by this Motion.

/s/ Adam L. Arrington

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of this instrument was served upon Steven W. Conder, Assistant Criminal District Attorney, Tim Curry Criminal Justice Center, 401 W. Belknap Fort Worth, Texas 76196, and Lisa McMinn, State Prosecuting Attorney, via e-mail to ccaappellatealerts@tarrantcountytexas.gov and information@spa.texas.gov, respectively, on November 28, 2016.

/s/ Adam L. Arrington